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09/884,821	06/18/2001	Kenneth P. Mallon	017887-009000US	3509

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

1.   The following action is in response to the communications received 02/13/2008.

2.   Applicant's arguments with regards to Tamayo et al. (U.S. 2002/0083067) in view of

Heching et al. (U.S. 7,054,828) have been fully considered, but they are not persuasive. In the

remarks, Applicant argues that neither Tamayo et al. nor Heching et al. teach or suggest wherein

the on-line aggregate behavior is related to, but different than, the aggregate behavior to be

modeled of the population.

        In response to this argument, Examiner respectfully disagrees. The system of Tamayo et

al. collects implicit data from each member of a subpopulation of users who visit the website.

This collection of data from each user of the subpopulation for an aggregate, amassed, or

collection of data. This information includes click stream data, time spent on aspects of sites,

purchase patterns, etc. See 0034, 0039, 0058-9, 0065, 0112, 0229-30, 0234-5, 0239. The system

is then able to build models and make predictions for these and future users (i.e. the population)

based on the data held in the system. The system makes predictions such as products to

recommend and cross-sell based on collected implicit data – the implicit data is related to but

different than the modeled likelihood of the user to purchase a certain item. Click stream data,

time spent on aspects of sites, purchase patterns, etc. is related to, but different than, product

recommendations because the one is used to predict the other (i.e. related or correlated) but click

stream data is not the same as product recommendations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BETH VAN DOREN whose telephone number is (571)272-6737. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/bvd/
February 21, 2008

/Beth Van Doren/
Primary Examiner, Art Unit 3623